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Message Text

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TO AMEMBASSY LILONGWE

C O N F I D E N T I A L STATE 002346

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FOR AMBASSADOR FROM ASSISTANT SECRETARY MOOSE

E.O. 11652: GDS

TAGS: SHUM, PINS, PGOV, PDIP, MI, US

SUBJECT: UNCLASSIFIED HUMAN RIGHTS REPORT ON MALAWI

REF: A. LILONGWE 2168 B. STATE 303173 C. STATE 292308

I. I HAVE CAREFULLY CONSIDERED YOUR VIEWS AS EXPRESSED REFTEL A AND HAVE REVIEWED EACH OF THE CHANGES YOU PROPOSED IN THE LATEST VERSION OF THE DRAFT REPORT, AS PREVIOUSLY MODIFIED BY REF B. THE FOLLOWING FURTHER CHANGES REPRESENT THE MOST I BELIEVE WE CAN DO IN THE DIRECTION YOU WISH, GIVEN THE POLICY AND PUB'TC AFFAIRS ENVIRONMENT HERE. THE PAPER IN ITS FINAL, REVISED FORM HAS NOW GONE FORWARD FOR PRINTING AND SUBMISSION TO CONGRESS TOWARD THE END OF THIS MONTH. THE PAPER, IN PAGE
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PROOF FORM, IS ALSO BEING FORWARDED TO YOU BY CLASSIFIED POUCH, SO THAT YOU MAY, IF YOU WISH, PASS IT INFORMALLY TO JOHN NGWIRI OR THOSE OTHER GOM OFFICIALS WHOM YOU THINK IT WOULD BE USEFUL TO FOREWARN OF ITS CONTENT.

2. FOLLOWING ARE ADDITIONAL CHANGES IN DRAFT REPORT, KEYED AGAIN TO PARAGRAPH NUMBERING IN ORIGINAL:

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I. A. TORTURE -- REFERENCE TO AI CHARGES CANNOT ENTIRELY BE DELETED, BECAUSE AI AUGUST I976 BRIEFING PAPER ON MALAWI REMAINS IN CIRCULATION AND CRITICS COULD ALWAYS POINT OUT THAT WE HAD INTERVIEWED ONLY A TINY PROPORTION, 25-30 OUT OF NEARLY 2000 DETAINEES RELEASED. NEVERTHELESS, I AGREE THAT A SENTENCE SHOULD BE ADDED AT THE END OF THAT PARAGRAPH TO READ: "THERE IS NO EVIDENCE TO SUGGEST THAT THE PRACTICE OF TORTURE IS OFFICIALLY SANCTIONED OR CONDONED BY THE MALAWI GOVERNMENT."

I.B. TO MEET YOUR POINT, THE SECOND SENTENCE HAS BEEN CHANGED TO READ " FOOD IS POOR, CELLS ARE VERY CROWDED (AI REPORTS AS MANY AS 20 OR 30 TO A CELL), CLOTHING IS INADEQUATE AND MEDICAL CARE IS MINIMAL, BUT IT APPEARS THAT PRISON OFFICIALS HAVE GENERALLY MADE A CONSCIENTIOUS EFFORT TO MAINTAIN HUMANE CONDITIONS WITHIN THE LIMITED RESOURCES AVAILABLE TO THEM." THIRD SENTENCE HAS BEEN MODIFIED TO READ "THERE HAVE BEEN ALLEGATIONS, WHICH WE HAVE BEEN UNABLE TO SUBSTANTIATE, THAT IN SOME ...."

2.A. WHATEVER THEIR MOTIVES, WE ARE AGREED THAT ORDINARY MALAWIANS OFTEN INFORM ON EACH OTHER TO THE AUTHORITIES. FOR ACCURACY, WE HAVE SUBSTITUTED "INFORMANTS" FOR "INFORMERS" IN THE SENTENCE IN QUESTION.

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2. A. (CENSORSHIP) I AGREE THAT THE OFFENDING REFERENCE TO MALAWIAN DRESS REGULATIONS NEED NOT BE RETAINED. WE NEED, HOWEVER, TO CONVEY THE EXTENT TO WHICH EXPRESSION IS CONTROLLED BY THE GOVERNMENT, AND HAVE SUBSTITUTED THE FOLLOWING PARAGRAPH:

"THE GOVERNMENT OF MALAWI PRACTICES STRICT CENSORSHIP OF ALL FORMS OF EXPRESSION, ON POLITICAL, SOCIAL AND MORAL GROUNDS. THE PRESS AND BROADCASTING SERVICE ARE UNDER TOTAL GOVERNMENT CONTROL, AND NO CRITICISM OF THE GOVERNMENT MAY APPEAR EXCEPT THAT UTTERED OR SANCTIONED BY THE PRESIDENT."

2.B. "REPORTEDLY" HAS BEEN DROPPED AND "OFTEN" SUBSTITUTEDFOR "ROUTINELY" AS YOU HAD ASKED. I DO NOT FEEL THAT WE CAN ADD THE FINAL SENTENCE YOU PROPOSE, HOWEVER, BECAUSE A CRITICAL READER MIGHT POINT OUT THAT THE DOWNWARD TREND IN DEPORTATIONS MERELY REFLECTS HOW FEW ARE LEFT TO DEPORT.

2.C. I TAKE YOUR POINT ON THE SENTENCE AS DRAFTED, BUT DO NOT THINK WE CAN ASSERT THAT THERE IS ANY REAL

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DEMOCRACY IN A COUNTRY WHERE IT CAN BE PRACTICED ONLY AT THE WHIM OF A LEADER WHO HAS ABSOLUTE POLITICAL AUTHORITY.

ACCORDINGLY, I HAVE APPROVED A REDRAFT OF THE SENTENCE TO READ:

"NO POLITICAL ACTIVITY OUTSIDE THE MCP FRAMEWORK IS PERMITTED, AND ALTHOUGH THE GOVERNMENT ASSERTS THAT THERE IS GRASS - ROOTS DEMOCRACY WITHIN THE MCP, ACCESS TO POLITICAL OFFICE AT ANY LEVEL IS SUBJECT TO THE PRESI-DENT'S VETO."

3.A. I BELIEVE THAT THE WORD "ARTIFICIALLY"SHOULD REMAIN. PRODUCER PRICES WHICH ARE ACTING AS A DISINCEN-CONFIDENTIAL

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TIVE TO PRODUCTION, AND WHICH WOULD RISE IF MARKET FORCES WERE GIVEN FULL PLAY AND ADMARC'S PROFIT REDUCED, MUST BE CONSIDERED "ARTIFICIALLY" LOW. THIS POLICY HAS A DIRECT IMPACT ON THE WELFARE OF THE FARMER, AND IS THEREFORE WITHIN THE PURVIEW OF THE REPORT.

THE SENTENCE IN THIS SECTION CONCERNING GOVERNMENT PERFOR-MANCE HAS BEEN REVISED, IN ACCORDANCE WITH YOUR VIEWS, TO READ: " NEVERTHELESS, GIVEN ITS AVAILABLE RESOURCES THE MALAWI GOVERNMENT HAS MADE A CREDITABLE EFFORT TO ENSURE THAT EVERYONE HAS ENOUGH TO EAT AND ADEQUATE CLOTH-ING; HAS MADE A PROMISING START ON PUBLIC HOUSING; AND IS EARNESTLY TRYING TO BRING BASIC EDUCATIONAL AND HEALTH SERVICES TO THE POPULACE.

5. I HAVE REVISED THIS SENTENCE TO READ " PRESIDENT BANDA CONTENDS THAT AUTHORITARIAN CONTROL IS ESSENTIAL FOR MALAWI'S DEVELOPMENT...." I BELIEVE THAT " CENTRAL CONTROL" IS SIMPLY TOO MILD A TERM FOR WHAT EXISTS IN MALAWI TODAY. OTHERWISE, "LITTLE" HAS BEEN SUBSTITUTED FOR "NO" AND "INVITED" FOR"PERMITTED", AS YOU HAD SUGGEST-ED. CHRISTOPHER

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